

DECLARATION UNDER PROBATE CODE SECTION 13101

The undersigned, each for himself or herself and not for the others, declare:

1. That _____ [*Name of Decedent*], hereinafter "Decedent," died in the City of _____, County of _____, State of _____ on _____, 19_____.
2. At least 40 days have elapsed since the death of the Decedent, as shown in a certified copy of the Decedent's death certificate attached to this declaration.
3. No proceeding is now being or has been conducted in California for administration of the Decedent's estate.
4. The decedent's personal representative has consented in writing to the payment, transfer, or delivery to the affiant or declarant of the property described in the affidavit or declaration.
5. The current gross fair market value of the Decedent's real and personal property in California, excluding the property described in Section 13050 of the California Probate Code, does not exceed one hundred thousand dollars (\$100,000).
6. The property of Decedent which is to be paid, transferred or delivered by the California State Controller's Office to the declarant pursuant to this declaration is:

7. CHECK ONE OF THE FOLLOWING and, if applicable, FILL IN THE BLANK:

_____ The declarant(s) is/are the successor(s) of the Decedent (as defined in Section 13006 of the California Probate Code) to the Decedent's interest in the described property [*e.g., beneficiary of Decedent's will or, where Decedent left no will, the surviving spouse, child, grandchild, parent, brother or sister, niece or nephew, grandparent, aunt or uncle, cousin, etc.*].

_____ The declarant(s) is/are authorized under Section 13051 of the California Probate Code to act on behalf of the successor of the Decedent (as defined in Section 13006 of the California Probate Code) with respect to the Decedent's interest in the described property [*e.g., guardian or conservator of Decedent's estate, trustee of Decedent's trust, custodian of Decedent's will or personal representative of beneficiary(ies)*]. The name(s) of the successor(s) of the Decedent is/are :

8. No other person has a superior right to the interest of the Decedent in the described property.
9. The declarants request that the described property be paid, delivered, or transferred to the declarants.
10. The declarants declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this _____ day of _____ at _____.

Signature

Name [*Print or Type*]

Signature

Name [*Print or Type*]

Signature

Name [*Print or Type*]